

ATTORNEY DOCKET NO.
004578.1025

PATENT APPLICATION
09/397,481

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REMARKS

Claims 1-26 are present in the application. In view of the remarks which follow, reconsideration of the application is respectfully requested.

Allowable Claims

Noted with appreciation is the indication in the Office Action that Claims 7-12 and 19-23 have been allowed.

Independent Claim 1

Independent Claim 1 stands rejected under 35 U.S.C. §102 as anticipated by Faghri U.S. Patent No. 4,976,308. This ground of rejection is respectfully traversed, for the following reasons. Claim 1 recites a heat pipe which is disposed within the material of a housing with a surface, and also recites that the heat pipe is "operative to facilitate heat distribution within the material of said housing in a manner which reduces temperature gradients across said surface". In lines 17-18 on page 2, the Office Action responds to Applicants' prior arguments by directing Applicants' attention to Figures 3 and 4 of Faghri. Figures 3 and 4 of Faghri show a plurality of heat pipes 22, which are all equivalent. For the sake of discussion, select any one of these heat pipes 22. The selected heat pipe 22 has, in the middle thereof, a tiny part of its axial length which is disposed within the material of a metal housing 12. However, the selected heat pipe 22 is not "operative to facilitate heat distribution within the material of said housing" (emphasis added), much less "in a manner which reduces temperature gradients across said surface" (emphasis added). As emphasized in MPEP §2131, a reference underlying a §102

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rejection must disclose each and every element recited in the rejected claim. Faghri does not meet this requirement as to Claim 1, because Faghri does not disclose any heat pipe 22 which is "operative to facilitate heat distribution within the material of said housing in a manner which reduces temperature gradients across said surface". Therefore, and since this feature is expressly recited in independent Claim 1, Claim 1 is not anticipated by Faghri. Claim 1 is therefore believed to be allowable, and notice to that effect is respectfully requested.

Independent Claim 14

Independent Claim 14 stands rejected under 35 U.S.C. §102 as anticipated by Faghri U.S. Patent No. 4,976,308. This ground of rejection is respectfully traversed, for the following reasons. Claim 14 recites a method involving a heat pipe which is disposed within the material of a housing with a surface, and also recites that the heat pipe is operative for "distributing said heat within the material of said housing", and that this occurs "in a manner which reduces temperature gradients across said surface". As noted above, the Office Action responds to Applicants' prior arguments by directing Applicants' attention to Figures 3 and 4 of Faghri. As also noted above, any selected heat pipe 22 of Faghri is not capable of "distributing said heat within the material of said housing" (emphasis added), much less "in a manner which reduces temperature gradients across said surface" (emphasis added). As noted above, MPEP §2131 emphasizes that a reference underlying a §102 rejection must disclose each and every element recited in the rejected claim. Faghri does not meet this requirement as to Claim 14, because Faghri does not disclose any heat pipe 22 which is capable of "distributing

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said heat within the material of said housing", much less "in a manner which reduces temperature gradients across said surface". Therefore, and since this feature is expressly recited in independent Claim 14, Claim 14 is not anticipated by Faghri. Claim 14 is therefore believed to be allowable, and notice to that effect is respectfully requested.

Dependent Claims

Claims 2-6, 13 and 24-26 depend from Claim 1, and are also believed to be allowable over the art of record, for example for the same reasons discussed above with respect to Claim 1. Claims 15-18 depend from Claim 14, and are also believed to be allowable over the art of record, for example for the same reasons discussed above with respect to Claim 14.

Conclusion

Based on the foregoing, it respectfully submitted that all of the pending claims are fully allowable, and favorable reconsideration of this application is therefore respectfully requested. If the Examiner believes that examination of the present application may be advanced in any way by a telephone conference, the Examiner is invited to telephone the undersigned attorney at (214) 953-6684.

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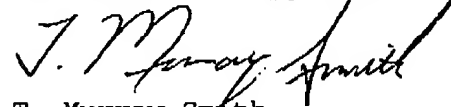
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Although Applicants believe that no additional fees are due, the Commissioner is hereby authorized to charge any fee required by this paper, or to credit any overpayment, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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Enclosures: None

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